UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

RONALD EUGENE BROOKS, SR.,)	
and MARILYN BROOKS,)	
Plaintiffs,)	
v.)	No. 3:07-0507
METROPOLITAN GOVERNMENT)	Judge Echols
OF NASHVILLE AND DAVIDSON)	O
COUNTY and MARTY PATTERSON,)	
Defendants/Cross-Plaintiffs,)	
v.)	
SHELBY COUNTY, TENNESSEE,)	
Defendant/Cross-Defendant.)	
	ORDER	

<u>UKDER</u>

For the reasons explained in the Memorandum issued contemporaneously herewith, the Court hereby enters the following rulings:

(1) The "Motion of Shelby County, Tennessee for Summary Judgment as to the Second Amended Complaint" (Docket Entry No. 40) and the "Motion for Summary Judgment Raising Qualified Immunity" (Docket Entry No. 42) filed by Defendants Metropolitan Government and Marty Patterson are hereby GRANTED IN PART and DENIED IN PART. Those Motions are GRANTED with respect to the federal claims set forth in Counts 1 and 2 of the Second Amended Complaint, and these federal claims are DISMISSED WITH PREJUDICE. Said motions are DENIED with respect to the state law claims set forth in Counts 3 through 6. The state law claims in Counts 3, 4, 5 and 6 of the Second Amended Complaint are hereby DISMISSED WITHOUT PREJUDICE; and

(2) The "Motion of Shelby County, Tennessee for Summary Judgment as to the Cross-Claim" (Docket Entry No. 41) is hereby DENIED AS MOOT.

Accordingly, this case is hereby DISMISSED.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED.

ROBERT L. ECHOLS

UNITED STATES DISTRICT JUDGE